REMARKS

Claims 1-12 are pending. Claims 1, 5 and 9-12 have been amended. Claims 1, 5 and 9 are independent. Favorable reconsideration is respectfully requested.

Claims 9-12 were rejected under 35 U.S.C. § 101 as being directed to a computer program. Claims 9-12 have been amended and are now directed to a computer readable storage medium, a clearly patentable class. Withdrawal of the rejection is requested.

Claims 1, 2, 5, 6, 9 and 10 were rejected under 35 U.S.C. § 102(e) over U.S. Patent Publication 2003/0026233 (Ohsuge). Applicant submits that amended independent claims 1, 5 and 9 are patentable over the cited art for at least the following reasons.

Amended claim 1 is directed to a CDMA receiver. The receiver includes: a path search section for receiving signals from a plurality of base stations, and specifying finger allocation according to delay profiles of respective branch signals received from the plural base stations; a plurality of fingers which are allocated to the branch signals based on the finger allocation specified by the path search section; and a rake receiving section for maximal-ratio-combining the power of a plurality of signals obtained from the fingers, which have been distributed due to their respective delays. The path search section includes a path management section to search for paths in response to the branch signals, and stores detected path information in a detected path table storing area in a memory. The number of paths which the path management section searches for is changed according to the number of received branch signals, the number of search paths being dynamically controlled to set an acceptable number of paths to a substantially steady value.

Ohsuge shows a method that provides hysteresis for detection of path timing. Ohsuge teaches allocating means that allocates a plurality of paths detected by a search means to the plurality of finger receivers respectively. However, Applicant has found no teach or suggestion in Ohsugue of the recited path search section that includes a path management section to search for paths in response to the branch signals, and stores detected path information in a detected path table storing area in a memory, such that the number of paths which the path management section
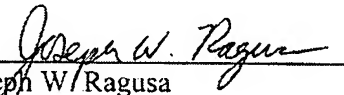
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searches for is changed according to the number of received branch signals, the number of search paths being dynamically controlled to set an acceptable number of paths to a substantially steady value, as recited in amended independent claim 1.

For at least the foregoing reasons, amended independent claim 1 is believed patentable over Ohsuge. Amended independent claims 5 and 9 are believed patentable for substantially similar reasons. The other claims depend on one or another of the independent claims discussed above and are believed patentable for at least the same reasons as their respective base claims.

In view of the above amendments and remarks, applicant believes the pending application is in condition for allowance.

Dated: October 22, 2007   Respectfully submitted,

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